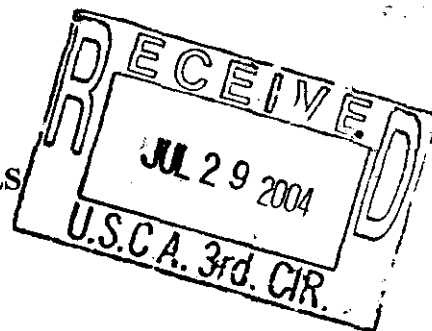


IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT



SNiP LiNK, LLC,

Petitioner,

y.

FEDERAL COMMUNICATIONS  
COMMISSION and the UNITED STATES  
OF AMERICA,

### Respondents.

Case No. 04-

RECEIVED

AUG - 4 2004

Federal Communications Commission  
Office of Secretary

## PETITION FOR REVIEW

SNiP LiNK, LLC (“SNiP LiNK”) respectfully petitions this Court, pursuant to 47 U.S.C. § 402(a), 28 U.S.C. §§ 2342 and 2344, and Rule 15(a) of the Federal Rules of Appellate Procedure, respectfully petitions this Court for review of the Second Report and Order of the Federal Communications Commission (“FCC”) issued in the matter of *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, FCC 04-164 (rel. July 13, 2004) (“*Order*”). A summary of the Order was published in the Federal Register on July 21, 2004, at 69 Fed. Reg. 43762. Petitioner appends the *Order* hereto.

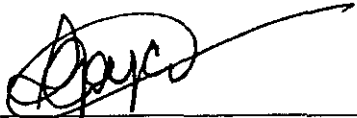
SNiP LiNK, a competitive local exchange carrier, participated in the underlying agency proceeding and is adversely affected by the *Order*. SNiP LiNK seeks relief on the ground that the *Order* is unlawful, in that it is arbitrary, capricious, contrary to the statute, in excess of statutory jurisdiction, unsupported by substantial evidence, and otherwise contrary to law. 5 U.S.C. § 706(2). SNiP LiNK asks this Court to hold those portions of the *Order* to be

unlawful and to vacate the *Order* or, in the alternative, to reverse it and remand these issues to the FCC.

Venue is proper pursuant to 28 U.S.C. § 2343.

Respectfully submitted,

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*Counsel for Petitioner SNiP LiNK, LLC*

Dated: July 28, 2004

**IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

SNIp LiNK, LLC,	)	
	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 04-_____
FEDERAL COMMUNICATIONS	)	
COMMISSION and the UNITED STATES	)	
OF AMERICA,	)	
	)	
Respondents.	)	
	)	

**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure and Local Rule 26.1, Petitioner SNIp LiNK, LLC ("SNIp LiNK"), through undersigned counsel, submits the following corporate disclosure statement:

SNIp LiNK is a competitive telecommunications company organized under the laws of New Jersey. It is certified in New Jersey, Pennsylvania and Delaware to provide local and long distance voice service bundled with broadband data and Internet access services.

SNIp LiNK is privately held and has no parent corporation or subsidiaries. No publicly held entity owns 10% or more of SNIp LiNK or is an affiliate of SNIp LiNK.

Respectfully submitted,

By: 

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Dated: July 28, 2004

## CERTIFICATE OF SERVICE

I, Stephanie A. Joyce, hereby certify that on this 28<sup>th</sup> day of July 2004, the foregoing Petition for Review and Corporate Disclosure of SNiP LiNK, LLC were served upon the following parties via electronic\* and First Class Mail:

  
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